

REMARKS

Claim 1, 5-7, 9-13 and 17-18, 21-26 have been amended. Claims 2, 4, 8, 14, 16, and 20 have been cancelled. Accordingly, upon entry of this amendment and response, claims 1, 3, 5-7, 9-13, 15, 17-19 and 21-28 will remain pending. Reconsideration and allowance of the application is respectfully requested in light of those amendments and the following remarks.

Rejections under 35 USC 112

Claims 9 and 21 were rejected under 35 USC 112 as being indefinite.

In response to both of these rejections, Applicant has amended these claims to clarify that the first communication device (as amended, "cellular telephone") places the call, not the second. Applicant submits that the rejections under section 112 are improper and requests that these rejections be withdrawn.

Rejections under 35 USC 103(a)

Claims 1-3, 5-20, 13-15, 17-22 and 25-27 are rejected under 35 USC 103(a) as being unpatentable over Mack, U.S. Patent Number 6,192,044.

Applicant has substantially amended claims 1 and 13 to point out that a cellular telephone and cellular network are used in carrying out various steps of the method claimed. Mack nowhere discloses the use of cellular telephones nor of a cellular network. In fact, Mack teaches

away from such wireless devices by requiring a caller PC, a modem, a PSTN network, router, etc. which are all wire-line devices and not mobile in nature. Specifically, the use of a modem implies that a wired connection to a PSTN would be required. Applicant therefore submits that claims 1 and 13 are not obvious in view of Mack and respectfully requests that these rejections be withdrawn.

With respect to claims 2, 4, 8, 14, 16, and 20 Applicant has cancelled these claims rendering the rejection thereof moot.

With respect to claims 3 and 15 Applicant submits that these claims depend from allowable claims 1 and 13, respectively, and therefore, are also allowable.

With respect to claims 5-7, 9-10, 17-19, and 21-22 Applicant submits that these claims depend from allowable claims 1 and 13, respectively, and therefore, are also allowable. Further, Applicant notes that all of the steps performed are using a cellular telephone and over a cellular network. The inputting and transmitting of the unique string identifier are performed by the cellular telephone, as amended. This is nowhere disclosed or suggested by Mack.

With respect to claim 25, Applicant has substantially amended claim 25 to point out that the system is configured with respect to a cellular telephone and cellular network, and therefore, not rendered obvious by Mack for the same reasons stated above. With respect to claims 26 and 27 Applicant submits that these claims depend from allowable claim 25, and therefore, are also allowable.

With respect to claims 4 and 16, Applicant has cancelled these claims rendering the rejection thereof moot. Applicant wants to note that the Ortiz reference cited cannot be combined with Mack since Mack teaches away from the use of wireless networks by requiring immobile, hard wired devices a "callee PC," "modem," "router" and "PSTN". Thus there would be no motivation to combine these references.

With respect to claims 11 and 23, Applicant submits that these claims depend from allowable claims 1 and 13, respectively, and therefore, are also allowable. Applicant notes that with respect to Norris, U.S. Patent Number 5,805,587, this reference also utilizes a computer, which thus teaches away from the use of a cellular telephone or cellular network as in the amended claims.

With respect to claims 12, 24 and 28, Applicant submits that these claims depend from allowable claims 1, 13 and 25, respectively, and therefore, are also allowable. Applicant notes again that the Berkley reference is oriented toward computer systems and land line telephones and therefore, teaches away from Applicant's invention as claimed.

In view of the above amendments and remarks, Applicants submit that the above-referenced application is in a condition for allowance, and such a notice is respectfully requested.

Respectfully submitted,


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